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June 29, 2007

**BY FAX**

Honorable Denny Chin  
United States Magistrate Judge  
500 Pearl Street  
New York, NY 10007

Re: *Timothy Kraft v. City of New York, et al.*, 07 Civ. 2978 (DC) *Bellevue Hospital*

Your Honor:

Plaintiff writes concerning his inability to serve the summons and complaint in the above-referenced matter on four of the defendants: Dr. Eli Greenberg, Dr. Fadi Haddad, Dr. Alyson Malloy, and Dr. Amy Cohen. Upon information and belief, these four individuals are employed at Bellevue Hospital. The Risk Management Office there, however, has refused to accept service for them, insisting instead that my process server must serve each doctor personally. This is, of course, contrary to the CPLR, which permits service on a co-worker. It is also contrary to Bellevue's own prior recent practice, which was for the Risk Management Office to accept service for doctors (*see, e.g., James Edward Jones v. City of New York, et al.*, 06 Civ. 2302 (WHP); *Kenneth Eng v. City of New York, et al.*, 06 Civ. 5206 (VM)).

Plaintiff respectfully requests that the Court order any one of the following: that Corporation Counsel accept service for the doctors, that HHC accept service for the doctors, or that the Bellevue Hospital Risk Management Office accept service for the doctors.

Thank you for your consideration in this matter

Respectfully,

Rose M. Weber  
Rose M. Weber (RW 0515)

cc: Elizabeth Wells, Esq. (by fax)

*This application is denied, but plaintiff may serve the four defendants by leaving copies of the papers with a person of suitable age and discretion at Bellevue Hospital and by mailing copies in the proper manner. If Bellevue Hospital refuses to accept the papers, the papers should just be left -- in the vicinity of an appropriate member of the staff. SO ORDERED,*

*[Signature]*  
WPT  
7/9/07

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**Facsimile Transmission**

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To: Hon. Denny Chin

Re: *Kraft v. City*,  
07 Civ. 2978 (DC)

Fax #: 212-805-7906

Date: June 29, 2007

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**Message:**